

APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims are amended as follows:

1. (Twice Amended) A group III nitride compound semiconductor device of a successively laminated structure comprising:

a substrate;

a buffer layer;

a first layer formed of  $In_xGa_{1-x}N$  ( $0 < X < 1$ ); and

a second layer formed of  $In_yGa_{1-y}N$  ( $0 < Y < 1$ ,  $Y \neq X$ );

wherein a composition ratio of In in said first layer is changed continuously or intermittently in a direction toward the second layer side from the buffer layer side so that a composition of said first layer in a face brought into contact with said second layer becomes substantially equal to a composition of said second layer; and

wherein said buffer layer is disposed between and in direct contact with both said substrate and said first layer, and said first layer is disposed between and in direct contact with both said buffer layer and said second layer.

3. (Amended) A group III nitride compound semiconductor device of a successively laminated structure comprising:

a substrate;

a buffer layer;

a first layer formed of  $Al_aGa_bIn_{1-a-b}N$  ( $0 < a < 1$ ,  $0 < b < 1$ ,  $a+b < 1$ ); and

a second layer formed of  $In_yGa_{1-y}N$  ( $0 < Y < 1$ );

wherein said buffer layer is disposed between and in direct contact with both said substrate and said first layer, and said first layer is disposed between and in direct contact with both said buffer layer and said second layer.